

## **REMARKS/ARGUMENTS**

Applicants appreciate the Examiner's thorough search and examination of the present patent application.

Claims 1, 10, 21, 42 and 50 have been amended to more clearly define applicants' invention. Applicants respectfully submit that the changes to these claims make explicit that which applicants believe to be already implicit and are, therefore, not made for statutory purposes for patentability.

Claim 10 stands rejected under 35 U.S.C. §112, second paragraph. Accordingly, claim 10 has been amended to correct an obvious typographical error. Applicants submit that the correction to claim 10 overcomes the Examiner's rejection under 35 U.S.C. §112, second paragraph.

Claims 1-58 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Boppana, Prasad ("Boppana"), U.S. Patent Application Publication No. US2004/0102995, in view of Phelan et al. ("Phelan"), U.S. Patent Application Publication No. US2004/0093296, and Curtis et al. ("Curtis"), U.S. Patent Application Publication No. US2003/0115377. Applicants respectfully traverse this rejection.

Applicants' claim 1, as amended, includes the steps of "obtaining usage information," "obtaining transactional information," "at least one of aggregating and segmenting at least one of the usage information and the transactional information[,]" "performing data modeling on at least one of the aggregated information and the segmented information[,]" "applying at least one statistical methodology on the at least one of the modeled and aggregated information and the modeled segmented information" to provide "statistical analysis information" and "performing data modeling on the statistical analysis information." Further, applicants' claim 1 defines "presenting the modeled statistical analysis information." As defined in amended claim 1, "usage information" is obtained by "performing surveillance on a person's interaction with technology" and the "usage information" represents "at least one selected from the group consisting of a display screen viewed by the person, a length of time a data entry display screen is viewed by the person, an on-line transmission with the person, an identifier of a data report

accessed by the person, an identifier of a query executed by the person, and the component in a data entry form accessed by the person[.]”

Boppana is directed to a method and system for modeling sales processes. Sales process information is used for developing rules for modeling a new sales process. In the Office Action, the Examiner states that Boppana teaches, at paragraphs 29-30, the step of obtaining usage information. Applicants respectfully disagree and submit that the cited paragraphs do not teach or suggest the step of obtaining usage information as defined in applicants’ claim 1. Instead, the cited paragraphs refer to acquiring “sales process information.” Sales process information is defined in Boppana, particularly at paragraphs 29 and 30, to include “at least one existing business model” and defining “one or more parameters that may be utilized to characterize a practice related to one or more existing or hypothetical business models.”

Applicants respectfully submit that sales process information acquired by Boppana is patentably distinct from applicants’ usage information. For example, at paragraph 32 Boppana states that sales process information “may include any information that may be pertinent to creating and maintaining a relationship between a customer or potential customer and a business[.]” More particularly, sales process information may include “product offering data, channel data, vertical data, geographical data and customer data.” “Usage information,” as defined in applicants’ claim 1, as amended, represents at least one of “a display screen,” “a length of time,” “an on-line transmission,” “a data entry report,” “a query” and “a component of a data entry form[.]” Applicants’ claim 1 “usage information” represents a person’s interaction with technology, and not Boppana’s parameters that characterize “at least one best practice related to at least one existing business model.”

Applicants respectfully submit that Boppana does not teach or suggest the steps of “obtaining usage information” and “at least one of aggregating and segmenting” “usage information” to provide “aggregated” or “segmented” information. Thus, applicants respectfully submit that elements of applicants’ claim 1 are missing from the teachings of Boppana.

Phelan is directed to a marketing optimization system that automatically organizes multi-dimensional marketing data into one or more categories. The marketing data are used to facilitate the optimization of a marketing investment. Phelan is cited by the Examiner for teaching “multi-dimensional analysis of [a] business model to optimize and monitor the business

model and the performance of the business model.” Although Phelan includes teachings directed to data modeling and analysis, Phelan is silent with respect to obtaining usage information, as defined in applicants’ amended claim 1. Therefore, applicants respectfully submit that Phelan does not supply at least one element of applicants’ claim 1 that is missing from the teachings of Boppana.

Curtis is directed to systems and methods for providing a customer relationship management (“CRM”) architecture. In the Office Action, the Examiner cites to Curtis for teaching dimensional modeling including star schema and snowflake schema for enterprise architecture. Curtis is also cited for teaching a “method and system for tiers of relationship management architecture such that the data segmented and aggregated model would be tiered for analysis.”

Applicants respectfully submit that Curtis describes a CRM architecture that improves on prior art solutions by creating an integrated, enterprise-wide view of customers (paragraphs 6-9).

Using three “dimensions” that include tiers 110, layers 130 and systemic qualities 150, specific products, tools and application components can be mapped and designed to create an integrated CRM system (paragraph 20). Applicants submit, however, that Curtis does not teach or suggest “obtaining usage information” as defined in applicants’ claim 1. Instead, Curtis defines a CRM architecture 100 for integrating legacy data and business logic with hardware and software layers to provide Internet-based flexible CRM solutions. Curtis is silent with respect to monitoring a person’s interaction with technology in order to “aggregate” and/or “segment” usage information for presenting model statistical analysis information. Thus, applicants respectfully submit that Curtis fails to supply elements of applicants’ claim 1 that are missing from the teachings of Boppana and Phelan and, therefore, Boppana, Phelan and Curtis, either in isolation or in combination, fail to teach or suggest all of the elements of applicants’ claim 1.

Applicants’ claims 42 and 54 include features for obtaining usage information that are functionally similar to that of claim 1. For example, claim 42 defines a method for “providing CRM/SFA usage information for statistical analysis,” particularly by “monitoring at least one portion of a CRM/SFA system while operated by a user[and] referencing a configuration data record to determine whether the at least one portion is identified in the configuration data record. Similar to applicants’ claim 1, claim 42 usage information includes “at least one selected from

the group consisting of a display screen viewed by the person, a length of time a data entry display screen is viewed by the person, an on-line transmission with the person, an identifier of a data report accessed by the person, an identifier of a query executed by the person, and an identifier of a component in a data entry display screen accessed by the person.” Applicants’ claim 54 includes features that are functionally similar to claim 42. Applicants respectfully submit that, for these reasons, Boppana, Phelan and Curtis, either in isolation or in combination, fail to teach or suggest all of the elements of applicants’ claim 42 and 54.

Therefore, applicants respectfully submit that claims 1, 21, 42, 50 and 54 are allowable over Boppana, Phelan and Curtis.

Claims 2-20, 22-41, 43-49, 51-53 and 55-58 depend directly or indirectly from claims 1, 21, 42, 50 and 54 respectively, and are, therefore, patentable for at least the above reasons with respect to claim 1, and because they include features which in combination with the claim(s) from which they depend are not taught, suggested or disclosed in the prior art.

For the foregoing reasons, applicants respectfully submit that the application is in condition for allowance, for which action is earnestly requested.

EXPRESS MAIL CERTIFICATE

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail to Addressee (mail label #EV342540322US) in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on February 28, 2005:

Dorothy Jenkins

Name of applicant, assignee or  
Registered Representative

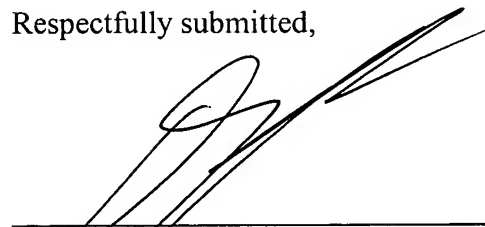
  
Signature

February 28, 2005

Date of Signature

DAM:JJF:ck

Respectfully submitted,

  
\_\_\_\_\_  
Douglas A. Miro  
Registration No.: 31,643  
OSTROLENK, FABER, GERB & SOFFEN, LLP  
1180 Avenue of the Americas  
New York, New York 10036-8403  
Telephone: (212) 382-0700